

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RANDY CARL HINKLEY,

Plaintiff,

v.

PENNSYLVANIA BOARD OF
PROBATION & PAROLE, *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-11-0525

(JUDGE CAPUTO)

(MAGISTRATE JUDGE MANNION)

ORDER

NOW, this 25th day of September, 2012, **IT IS HEREBY ORDERED** that Magistrate Judge Mannion's Report and Recommendation (Doc. 62) is **ADOPTED in its entirety**.

- (1) Defendants' Partial Motion to Dismiss the Amended Complaint (Doc. 23) is **GRANTED**.
- (2) Plaintiff's claims against the Parole Board, SCI-Coal Township, SCI-Coal Township Sunrise Mountain Therapeutic Community Program, and the individual Defendants in their official capacities are **DISMISSED with prejudice**.
- (3) Plaintiff's claim for damages under the Pennsylvania Constitution is **DISMISSED with prejudice**.
- (4) Plaintiff's claims against Defendants McVey, Barkley, Daub, and Mull are **DISMISSED with prejudice**.
- (5) The matter is **RECOMMITTED** to Magistrate Judge Mannion.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge